

**UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY**

**QUESTIONNAIRE FOR JUDICIAL NOMINEES**

**PUBLIC**

1. **Name:** State full name (include any former names used).

Margo Kitsy Brodie  
Margo Kitsy Williams (1966 – 1986). Williams was my father's surname.

2. **Position:** State the position for which you have been nominated.

United States District Judge for the Eastern District of New York

3. **Address:** List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

271 Cadman Plaza East  
Brooklyn, New York 11201

4. **Birthplace:** State year and place of birth.

1966; St. John's, Antigua

5. **Education:** List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

1988 – 1991, University of Pennsylvania Law School; J.D., 1991

1983 –1985, 1986 –1988, St. Francis College; B.A. (*magna cum laude*), 1988

6. **Employment Record:** List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

1999 – Present  
United States Attorney's Office for the Eastern District of New York  
271 Cadman Plaza East  
Brooklyn, New York 11201  
Deputy Chief of the Criminal Division (2010 – Present)

Counselor to the Criminal Division (2009 – 2010)  
Chief of General Crimes (2007 – 2009)  
Deputy Chief of General Crimes (2006 – 2007)  
Advisor to Prosecuting Agencies in Nigeria (2005 – 2006)  
Assistant United States Attorney (1999 – 2006)

2009 – Present  
Brooklyn Law School  
250 Joralemon Street  
Brooklyn, New York 11201  
Adjunct Instructor of Legal Writing

1994 – 1999  
Carter, Ledyard & Milburn  
2 Wall Street  
New York, New York 10005  
Litigation Associate

1991 – 1994  
New York City Law Department  
Real Estate Litigation Division  
100 Church Street  
New York, New York 10007  
Assistant Corporation Counsel

January or February 1993  
Stephen, Dunn & Associates  
1728 Abbot Kinney Boulevard  
Venice, California 90291  
Telemarketer (performed work for New York theatre group, whose name I do not recall)

Summer 1991  
Law Office of Richard Kurtz, Esq.  
No known address  
Legal Assistant/Legal Secretary

January 1989 – August 1989; September 1990 – May 1991  
University of Pennsylvania Law School  
3400 Chestnut Street  
Philadelphia, Pennsylvania 19104  
Research Assistant to Professor Regina Austin

August 1989 – May 1990; August 1990 – May 1991  
Hill College House  
University of Pennsylvania  
3333 Walnut Street  
Philadelphia, Pennsylvania 19104  
Graduate Fellow

Summer 1990  
Seward & Kissel  
One Battery Park Plaza  
New York, New York 10004  
Summer Associate

1990  
University of Pennsylvania School of Law  
3400 Chestnut Street  
Philadelphia, Pennsylvania 19104  
Research Assistant to Professor Lani Guinier

Other Affiliations (Uncompensated):

1996 – 2002; 2008 – 2009  
Association of Black Women Attorneys  
255 West 36th Street, Suite 800  
New York, New York 10018  
President (2006 – 2008)  
Vice President (1999 – 2002)  
Board Member (1996 – 1999; 2008 – 2009)

1996 – 2002  
Van Park Housing Corporation  
679 Vanderbilt Avenue  
Brooklyn, New York 11238  
Treasurer

1994 – approx. 2004  
Practicing Attorneys for Law Students, Inc.  
42 West 44th Street  
New York, New York 10036  
Board of Directors/Executive Board

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the military. I was not required to register for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

United States Attorney's Office for the Eastern District of New York Award for Excellence in Criminal Litigation in *United States v. Nicoletti et al.* (2009)

United States Attorney's Office for the Eastern District of New York Award for Excellence in Management (2008)

National Agency for the Prohibition of Traffic In Persons & Other Related Offences Award for contributions in fighting human trafficking in Nigeria (2006)

Council of Legal Education Award for contribution to the development of legal education in Nigeria (2006)

Research Fellowship from the seminar on Afro-American Intellectual History of the Program for Assessing and Revitalizing the Social Services, University of Pennsylvania (1989)

Black Graduate and Professional Students Association of the University of Pennsylvania Sadie T. M. Alexander Award for outstanding leadership and services (1990 – 1991)

Phi Alpha Theta Honor Society, St. Francis College

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association

Association of Black Women Attorneys

President (2006 – 2008)

Vice President (1999 – 2002)

Board Member (1996 – 1999; 2008 – 2009)

Eastern District Association

Board of the Eastern District Association Steering Committee (2011 – present)

Metropolitan Black Bar Association

National Bar Association

National Black Prosecutors Association

New York City Bar Association

Council on Criminal Justice Committee (2009 – Present)

Criminal Law Committee (2002 – 2005)

Environmental Law Committee (1995 – 1998)

New York County Lawyers' Association

New York State Bar Association  
Practicing Attorneys for Law Students, Inc.  
Board of Directors/Executive Board (1994 – approx. 2004)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

New Jersey, 1991  
New York, 1992

After I was admitted to the New Jersey State bar, I failed to pay the annual attorney registration fee required to keep my admission current. As a result, I was removed from the roll of attorneys in New Jersey. I was reinstated after I paid the past due fees. I never practiced law in New Jersey.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

Supreme Court of the United States, 1998  
United States Court of Appeals for the Second Circuit, 2005  
United States District Court for the Eastern District of New York, 1992  
United States District Court for the Southern District of New York, 1992

There have been no lapses in membership.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Van Park Housing Corporation  
Treasurer (1996 – 2002)

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion

or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, the Van Park Housing Corporation does not discriminate and did not formerly discriminate on the basis of race, sex, religion or national origin.

**12. Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

In June 2011, as part of the 35th anniversary Gala celebration of the Association of Black Women Attorneys, I wrote a message stating what ABWA has meant to me throughout my career, which was published in a journal. A copy of that message is supplied.

In 2007, as part of the 30th anniversary Gala celebration of the Association of Black Women Attorneys, I prepared remarks as the president of the organization, which were published in a journal. A copy of those remarks, which were entitled the "President's Message," is supplied.

In 2006 and 2007, as president of the Association of Black Women Attorneys, I wrote fundraising letters for the organization. Copies supplied.

In 2007, I co-authored a document entitled, "ABWA: 2002 and Forward," which was published in the 30th Anniversary Gala journal. Copy supplied.

While employed at Carter, Ledyard & Milburn, I co-authored an article on the then-new lead paint regulations. This article, *New Lead Regulations to Take Effect This Fall*, was published in the Real Estate Weekly on April 17, 1996. Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I do not recall preparing or contributing to any such reports, memoranda or policy statements.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I do not recall issuing or providing any such testimony, official statements, or other communications.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

I have attempted to compile as complete a list as possible of speeches and other remarks I have given over the years by referencing my personal calendars and performing Internet and public database searches. I may, however, have given other presentations and participated in other panels that I have been unable to recall or identify.

On May 23-27, 2011, I led a five-day trafficking training program in Nigeria for prosecutors and other law enforcement officials. This training program was sponsored by the United States Department of Justice, Office of Overseas Prosecutorial Development, Assistance and Training and the United States Department of Justice, International Criminal Investigative Training Assistance Program. I was assisted by a Nigerian judge, two prosecutors and two retired police officers. I presented on topics related to the investigation and prosecution of trafficking cases, including an international overview of human trafficking, building strong cases for prosecution, trial preparation and prosecution, investigating trafficking crimes involving the use of computers, use of electronic evidence in trafficking cases, and the use of video conferencing for unavailable witnesses. Copies of my PowerPoint presentations are supplied.

On April 12-14, 2011, I presented three days of trafficking training in Zanzibar. This training program was sponsored by the United States Department of Justice, Office of Overseas Prosecutorial Development, Assistance and Training and the United States Embassy in Tanzania. I was assisted by another prosecutor and a representative from the International Organization of Migration. I presented on topics related to the investigation and prosecution of trafficking cases including an international overview of human trafficking, identifying victims of human trafficking, building strong cases for prosecution, and trial preparation in trafficking cases. Copies of my PowerPoint presentations are supplied.

On March 2, 2011, I was one of four panel members who participated in a discussion entitled “Everything You Wanted to Know About Becoming an Assistant United States Attorney.” The program was sponsored by the New York City Bar Committee on Minorities in the Court. My notes are supplied.

On February 26, 2011, I participated in a panel discussion at the Brooklyn Law School Black Law Students Association Seventh Annual Power Professionals Conference. I spoke about resume writing and interviewing, including what information students should include on their resume, how to prepare for interviews, and how to effectively communicate during an interview. I have no notes, transcript, or recording. Brooklyn Law School is located at 250 Joralemon Street, Brooklyn, New York 11201.

On January 7, 2011, I participated in a negotiation training program at Benjamin M. Cardozo School of Law. Together with two other panel members, I provided constructive criticism regarding the performance of three groups of students after they attempted to negotiate the terms of a performance contract. I have no notes, transcript, or recording. The Law School is located at 55 Fifth Avenue, New York, New York 10003.

On December 8, 2010, I and a colleague presented a lecture on the topic of human trafficking at a United Nations conference on Combating Corruption through International Investigations. The conference was held at the United Nations headquarters in New York City. I have no notes, transcript, or recording. The address of the United Nations is 3 United Nations Plaza, New York, New York 10017.

On November 11, 2010, I spoke to a class at John Jay College of Criminal Justice on the topic of evidence. I used the example of a specific stalking case to explain and demonstrate the nature of circumstantial evidence. I have no notes, transcript, or recording. The College is located at 899 Tenth Avenue, New York, New York 10019.

On November 16-18, 2010, I was a panel member at a human trafficking training program in Nassau, the Bahamas, sponsored by the U.S. Department of Homeland Security. The three-day program provided training to prosecutors, law enforcement, and others in the Bahamas. I lectured on the prosecution and trial of a human trafficking case. A copy of my PowerPoint presentation is supplied.

On November 6, 2010, I gave the opening remarks at the Fourth Annual Visions for Tomorrow Workshop, which was sponsored by the organization What About The Children, Inc. The all-day workshop was intended to give middle-school students a glimpse into their future by introducing them to members of the community from different walks of life. I have no notes, transcript, or recording.



The address of the organization is 249 Thomas Boyland Street, Suite 3-K, Brooklyn, New York 11233.

On October 7, 2010, I was one of five panel members participating in a program entitled "Careers in Criminal Law for Students of Color," sponsored by the Practicing Attorneys for Law Students, Inc. I discussed, among other topics, the nature of my job, my daily activities, and the benefits of working for the government. I have no notes, transcript, or recording. The organization is located at 42 West 44th Street New York, New York 10036.

On September 19-21, 2010, I was a panel member at a human trafficking training program in Amman, Jordan, sponsored by the U.S. Department of Homeland Security. The three-day program provided training to prosecutors, law enforcement, and the National Jordanian Police. I lectured on the prosecution and trial of a human trafficking case. A copy of my PowerPoint presentation is supplied.

On September 9, 2010, I was one of a three-member panel presenting on human trafficking at the SAS 6th Annual Terrorism, Financing and Money Laundering Program in Cary, North Carolina. A copy of my PowerPoint presentation is supplied.

On August 2-4, 2010, I presented a three-day trafficking training in Swaziland. This training program was sponsored by the United States Department of State. I covered a broad range of topics related to the investigation and prosecution of trafficking cases including an international overview of human trafficking, identifying victims of human trafficking, handling victims of human trafficking, interviewing techniques for victims of human trafficking, investigating trafficking cases, gathering evidence, and trial preparation in trafficking cases. Copies of my PowerPoint presentations and press coverage are supplied.

On July 26-28, 2010, I presented a three-day trafficking training in Lesotho. This program was sponsored by the United States Department of State. I covered a broad range of topics related to the investigation and prosecution of trafficking cases including an international overview of human trafficking, identifying victims of human trafficking, handling victims of human trafficking, working with non-governmental organizations, interviewing techniques for victims of human trafficking, investigating trafficking cases, gathering evidence, and trial preparation in trafficking cases. I also commented on Lesotho's draft trafficking legislation. Copies of my PowerPoint presentations and press coverage are supplied.

On November 19, 2009, I spoke to a class at John Jay College of Criminal Justice on cross-examination. I used the example of *United States v. Tin Yat Chin* to explain and demonstrate the various ways in which witnesses can be impeached

during cross examination. I have no notes, transcript, or recording. The College is located at 899 Tenth Avenue, New York, New York 10019.

On November 7, 2009, I moderated the Third Annual Visions for Tomorrow Workshop, which was sponsored by the organization What About The Children, Inc. The all-day workshop was intended to give middle-school students a glimpse into their future by introducing them to members of the community from different walks of life. I have no notes, transcript, or recording. The address of the organization is 249 Thomas Boyland Street, Suite 3-K, Brooklyn, New York 11233.

On October 16-17, 2009, I was a panelist for a continuing legal education symposium on Federal Sentencing Practice for state court practitioners, sponsored by the Federal Criminal Practice Institute. I discussed the application of the sentencing guidelines with several state court practitioners who were interested in practicing in federal court. Video supplied.

On June 17-19, 2009, I participated in a three-day Africa Regional Anti-Corruption Seminar in Tanzania, which was co-sponsored by the Office of Overseas Prosecutorial Development, Assistance and Training and the State Department. I presented on several topics including a joint presentation with Daniel Claman on case management and data mining, and a joint presentation with Peter Ainsworth on the Effective Use of Informants and Cooperating Defendants. PowerPoint presentation on case management supplied. I have no notes, transcript or recording of the other presentations.

On March 24, 2009, I participated on a panel entitled "Career Opportunities in Government," sponsored by the Practicing Attorneys for Law Students, Inc. and the New York City Bar Committee on Law Student Perspectives. A copy of the questions posed with my responsive notes is supplied.

On March 9-12, 2009, I instructed new Assistant United States Attorneys on trial advocacy at the Justice Department's National Advocacy Center in South Carolina. I have no notes, transcript, or recording.

On February 18, 2009, I was a panel member at a Black History Month program sponsored by the then-Attorney General Andrew Cuomo and the Metropolitan Black Bar Association and entitled, "The Role of the African-American Prosecutor." We discussed various criminal law topics, including whether interrogations by police should be videotaped and audiotaped, and answered questions from the audience. I have no notes, transcript, or recording. The Attorney General's Harlem Office is located at 275 Madison Avenue, 14th Floor, New York, New York 10016.

On September 16-18, 2008, I was a panel member at a conference on Financial Crimes, Intellectual Property and Gangs for Trinidadian law enforcement

officials, sponsored by the United States Embassy in Trinidad and the United States Department of Justice, Office of Overseas Prosecutorial Development, Assistance and Training (“OPDAT”). I spoke about the various investigative techniques used in the United States to investigate and prosecute financial and gang-related crimes. I have no notes, transcript, or recording. OPDAT is located at 1331 F Street, NW, Washington, DC 20530.

On May 17, 2008, I delivered a short, introductory speech at the Association of Black Women Attorneys’ 15th Annual Ruth Whitehead Whaley luncheon. A copy of my remarks is supplied.

On November 17, 2007, I participated in an all-day workshop for middle school students titled Visions for Tomorrow, which was sponsored by the organization What About The Children, Inc. The workshop was intended to give the students a glimpse into their future by introducing them to members of the community from different walks of life. I explained what I did for a living, my educational background, my prior work experience, and answered questions from the students and some of their parents. A copy of my notes is supplied.

On October 30, 2007, at my installation as president of the Association of Black Women Attorneys, I gave a speech describing what the organization did during the past year and what I planned to do for the upcoming year. Notes supplied.

On October 4-6, 2007, I was a panelist for a continuing legal education symposium on Federal Sentencing Practice for state court practitioners, sponsored by the Federal Criminal Practice Institute. I discussed the application of the sentencing guidelines with several state court practitioners who were interested in practicing in federal court. I have no notes, transcript, or recording. The program was held at the New York County Lawyers’ Association which is located at 14 Vesey Street, New York, New York 10007.

On May 5-9, 2007, I spoke at the FBI National Academy Associates Africa/Middle East Conference, which was held in Ghana. I gave an overview of the United States’ justice system. Several law enforcement officials from Africa and the Middle East attended the conference. I have no notes, transcript, or recording. The FBI NAA is located at FBI Academy, Quantico, Virginia 22135.

On March 24, 2007, I gave a speech at the 30th anniversary Gala celebration of the Association of Black Women Attorneys. A copy of my remarks is supplied.

On February 24, 2007, I spoke on a panel at a conference sponsored by the Brooklyn Law School Black Law Students Association. The panel was on working in government. I discussed, among other topics, my career path and the rewards and challenges of working for the government. Notes supplied.

On October 26, 2006, I gave remarks upon being installed as the president of the Association of Black Women Attorneys. Copy of my remarks supplied.

March 2006, I lectured at four different campuses of the Nigerian Law School on conducting direct and cross examinations of witnesses. I have no notes, transcript, or recording.

From May 2005 through March 2006, I was the Department of Justice's legal advisor to Nigeria. As such, I organized and participated in several training programs for prosecutors and law enforcement officers from various agencies. These training programs included sessions on evidence, public corruption, human trafficking, trial advocacy, and plea negotiations. I also conducted smaller training programs for prosecutors on topics such as how to effectively conduct opening statements, direct examinations and cross examinations. I have no notes, transcript, or recording. The address of the Department of Justice is 950 Pennsylvania Avenue NW, Washington, DC 20530.

On July 14, 2004, I was a panel member for a program entitled, "What It's (Really) Like to Practice Law in NYC as a Woman," sponsored by the New York Women's Bar Association and the committees of the New York City Bar on Sex and Law and Law Student Perspectives. We discussed various topics including the importance of a career plan, how to find a mentor, the purpose of networking, whether discrimination still exists, and balancing your professional life and personal life. Notes supplied.

From June 29 to June 30, 2004, I was a panel member at a conference titled, "Transnational Judicial Assistance for Nigerian Law Enforcement Officials," which was sponsored by the United States Embassy in Nigeria and the United States Department of Justice, Office of Overseas Prosecutorial Development, Assistance and Training. I presented an overview of the United States' justice system based on a PowerPoint presentation prepared by the Justice Department. I did not prepare the presentation and have no other notes, transcript or recording. The address of the Department of Justice is 950 Pennsylvania Avenue NW, Washington, DC 20530.

I have also participated in the training of Assistant United States Attorneys ("AUSAs") within the United States Attorney's Office for the Eastern District of New York since I became a supervisor. Such training included one-on-one training sessions with new AUSAs, more formal training of groups of AUSAs on topics such as discovery obligations and conducting proffers, and participation in a yearly trial advocacy training program, most recently held in January 2011. Copies of two of the PowerPoint presentations that I prepared and presented in 2010 are supplied. I have no notes, transcripts or recordings from any of the other previous presentations. The address of the U.S. Attorney's Office is 271 Cadman Plaza East, Brooklyn, New York 11201.

In approximately 1994 or 1995, I participated in a panel at the New York City Bar Association on transitioning from the government sector to the private sector. I have no notes, transcript, or recording. The Association is located at 42 West 44th Street New York, New York 10036.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Roxanne Patel, "First-Year Law Class Has Most Minorities Ever," The Daily Pennsylvanian, Oct. 1, 1990. Copy supplied.

Other than the article listed above, I have no recollection of giving any other interviews and have been unable to identify any others through searches of my personal files, the Internet and public databases.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

I have never held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? \_\_\_\_\_

- i. Of these, approximately what percent were:

jury trials: \_\_\_\_\_%  
bench trials: \_\_\_\_\_% [total 100%]

civil proceedings: \_\_\_\_\_%  
criminal proceedings: \_\_\_\_\_% [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and dissents.
    - c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
    - d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

- e. Provide a list of all cases in which certiorari was requested or granted.
  - f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
  - g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
  - h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
  - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have never been a judge.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or

appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have never held a public office. I have never had any unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I have not held an office or position with a political party, election committee, or political campaign.

16. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:

- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I never served as a law clerk.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have never practiced law alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

1991 – 1994  
New York City Law Department  
Real Estate Litigation Department  
100 Church Street  
New York, New York 10007  
Assistant Corporation Counsel

1994 – 1999  
Carter, Ledyard & Milburn  
2 Wall Street  
New York, New York 10005  
Litigation Associate

1999 – Present

United States Attorney's Office Eastern District of New York  
271 Cadman Plaza East  
Brooklyn, New York 11201

Assistant United States Attorney (1999 – 2006)

Advisor to Prosecuting Agencies in Nigeria (2005 – 2006)

Deputy Chief of General Crimes (2006 – 2007)

Chief of General Crimes (2007 – 2009)

Counselor to the Criminal Division (2009 – 2010)

Deputy Chief of the Criminal Division (2010 – Present)

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have never served as mediator or an arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

As an Assistant Corporation Counsel for the City of New York, from September 1991 to approximately August 1994, I defended city agencies and officials in state and federal court litigation challenging the exercise of their discretionary power in the management of municipal affairs. I personally handled all aspects of litigation such as drafting pleadings, motion practice and discovery in cases involving contracts, environmental issues, constitutional law, public bidding law, mortgage foreclosure, *in rem* tax foreclosure and tort claims.

While employed at Carter, Ledyard & Milburn, from September 1994 to June 1999, I represented both plaintiffs and defendants in various types of civil litigation. I drafted and answered complaints in a number of general commercial cases in city, state and federal courts; participated in all phases of discovery, including witness interviews and preparation; conducted and defended depositions; engaged in motion practice, including related court appearances; negotiated and arbitrated settlement agreements; and participated in bench trials.

As an Assistant United States Attorney, beginning in July 1999 and continuing to the present, I represent the United States in investigations and prosecutions from the grand jury phase through trial and appeal, in a broad range of areas. I have prosecuted cases involving, among others,



tax fraud, public corruption, money laundering, RICO, murder-in-aid of racketeering, narcotics trafficking, gun trafficking and human trafficking.

In addition, between July 2006 and October 2009, I supervised new AUSAs in the General Crimes Section, first as a Deputy Chief and later as the Chief. During that time I supervised on average 25 AUSAs and 3 Deputy Chiefs at any one time. My responsibilities included reviewing charging and plea decisions, motions and briefs, and training prosecutors in a range of areas, including narcotics and firearms trafficking, violent crimes, financial crimes, public corruption, immigration offenses and child pornography offenses. I provided trial advocacy training and reviewed courtroom presentations of new AUSAs. I also accompanied the new AUSAs to court to assist them during various types of hearings.

From May 2005 to March 2006, I was a legal advisor to the Independent Corrupt Practices and Other Related Offences Commission (ICPC) in Nigeria, which is an anti-public corruption commission. I advised the prosecutors on all aspects of prosecution, including trial strategy, and I accompanied the prosecutors to court, although I did not officially take part in the court proceedings. I also provided training to several prosecutors and investigators from the ICPC, the Economic and Financial Crimes Commission and the National Agency for the Prohibition of Traffic in Persons and Other Related Matters Commission.

In October 2009, I became the Counselor to the Criminal Division of the United States Attorney's Office. I spearheaded review of policy and procedural issues of importance to the Criminal Division; led special projects within the Division and in coordination with the United States Department of Justice and other agencies; facilitated and coordinated the Office's training programs; identified and developed strategic initiatives; updated and coordinated the Division's policies and procedures; and acted as the Office's principal liaison with United States Department of Justice headquarters on evolving topics such as discovery.

In my current position as Deputy Chief of the Criminal Division, I supervise over 100 Criminal Division AUSAs in the areas of public corruption, civil rights, terrorism, organized crime, gang violence, narcotics trafficking, and business and securities fraud; advise the United States Attorney and Criminal Division Chief regarding legal policy and management issues; devise and implement the Office's criminal discovery policies; and oversee various training programs.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

From 1991 to 1994, as an Assistant Corporation Counsel for the City of New York, I represented the City of New York in a range of matters challenging the exercise of the City's discretionary power in the management of its municipal affairs. I handled cases involving contracts, public bidding law, mortgage foreclosure, *in rem* tax foreclosure and tort claims.

From 1994 to 1999, while employed at Carter, Ledyard & Milburn, I practiced in the area of general commercial litigation for various corporate clients.

Since 1999, I have represented the United States as a federal prosecutor, specializing in federal criminal law at both the trial and appellate levels.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

Approximately 90% of my legal experience has been in litigation. While employed as an Assistant Corporation Counsel from 1991 to 1994 and as an Assistant United States Attorney from 1999 to 2005, I frequently appeared in court on numerous cases. In the interim, as an associate at Carter, Ledyard & Milburn, I did not appear in court as frequently. From May 2005 to April 2006, I was a legal advisor in Nigeria where I traveled to court with the prosecutors on their matters but did not appear on any matter. From May 2006 to the present, I occasionally appear in court on some of my own cases, but the majority of my court appearances are in my capacity as a supervisor to the new Assistant United States Attorneys.

- i. Indicate the percentage of your practice in:

1. federal courts:	60%
2. state courts of record:	35%
3. other courts:	5%
4. administrative agencies:	0%

- ii. Indicate the percentage of your practice in:

1. civil proceedings:	40%
2. criminal proceedings:	60%

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried nine cases to verdict (ten trials because one case was tried to verdict twice); three as sole counsel; three as chief counsel; two as co-counsel and one as

associate counsel. In addition, I second-chaired several trials in which I actively counseled and assisted new AUSAs who were trying the cases.

- i. What percentage of these trials were:
  - 1. jury: 100%
  - 2. non-jury: 0%

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the Supreme Court of the United States.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

These cases are listed in reverse chronological order.

- 1. *United States v. Robinson*, 09-CR-794 (JG); Eastern District of New York; The Honorable John Gleeson; 2010 – Present.

The defendant was convicted after trial of sex trafficking a minor. I was the lead counsel and tried the case with a junior Assistant United States Attorney. Trial preparation involved the painstaking review of dozens of hours of prison conversations between the defendant and the minor victim, who identified herself as the defendant's "girlfriend," to identify conversations establishing that the defendant was, in fact, the victim's pimp and that he directed her prostitution activities. The defense was that the victim worked voluntarily as a prostitute and not for the defendant and that the victim gave money to the defendant only because he was her boyfriend and not because he was her pimp. I examined the victim at trial, which required questioning her to elicit useful information, limit and neutralize harmful testimony and reveal the victim's bias for the defendant. I also gave the summation and rebuttal jury addresses, during which I used the prison conversations and the victim's testimony to convince the jury that the victim was lying to

protect the defendant. The defendant was convicted and sentenced to 15 years' imprisonment, 5 years above the mandatory minimum sentence. The case is currently on appeal.

Co-counsel:

Assistant United States Attorney Sylvia Shweder  
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Brooklyn, New York 11201  
(718) 254-6092

Defense counsel:

Curtis Farber Esq.  
350 Broadway, 10th Floor  
New York, New York 10013  
(212) 334-4466

2. *United States v. Nicoletti*, 09-CR-002 (CBA); Eastern District of New York; The Honorable Carol Bagley Amon; 2008 – 2009.

The defendants pleaded guilty to civil rights violations for the election night assault of three individuals in Staten Island, New York, in retaliation for Barack Obama's election as President of the United States. The investigation of this case involved two months of proffering witnesses and participants to determine the facts and to determine whether federal charges could properly be brought against the defendants.

Co-counsel:

Assistant United States Attorney Pamela Chen  
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Brooklyn, New York 11201  
(718) 254-7575

Defense Counsel:

For Nicoletti:  
Robert LaRusso, Esq.  
300 Old Country Road, Suite 341  
Mineola, New York 11501  
(516) 248-3520

For Contreras:  
Greggory Cooper, Esq.  
20 Vesey Street, Suite 400  
New York, New York 10007  
(212) 608-4828

For Carranza:  
Allen Lashley, Esq.  
16 Court Street  
Brooklyn, New York 11241  
(718) 875-1128

3. *United States v. Tyler*, 01-CR-922 (JBW); Eastern District of New York; The Honorable Jack B. Weinstein; 2000 – 2007.

This case, along with the following three cases, are all related cases. They involve the investigation and prosecution of a violent gang from Brooklyn that operated in New York and Baltimore. Several of the gang members pleaded guilty and four went to trial before the Honorable Jack B. Weinstein. A fifth gang member was a fugitive at the time of the trial before Judge Weinstein but was eventually arrested and tried separately before the Honorable Nina Gershon.

I investigated and indicted this case, charging the defendants with RICO, RICO conspiracy, murder in aid of racketeering, conspiracy to commit murder in aid of racketeering and the unlawful use of firearms. This was originally a firearms trafficking case that I was able to develop into a RICO prosecution. Two of the defendants pleaded guilty and cooperated with the government. I was one of three Assistant United States Attorneys who tried this case as co-counsel. The other two Assistant United States Attorneys were Kelly Currie and Marshall Miller. We litigated several pre-trial motions, including motions by the defendants to sever the trial of some of the co-defendants, and to obtain a bill of particulars, exculpatory and impeachment material of government witnesses, the identity of unindicted co-conspirators and the production of informants and witness lists in advance of trial. We also litigated the introduction of uncharged conduct pursuant to Rule 404(b) of the Federal Rules of Evidence.

I conducted the direct examination of several of the government's witnesses and the cross-examination of a defense witness. In addition, I delivered one of the jury addresses. After a four-week jury trial, the four defendants were convicted on several counts of the indictment. Three of the four defendants were sentenced to life and one was sentenced to ten years. I was co-counsel for the appeal and partially argued the appeal before the Second Circuit Court of Appeals. The convictions were affirmed on appeal, but the cases were remanded for resentencing in accordance with *United States v. Booker*, 534 U.S. 220 (2005). On remand, the three life sentences were reduced to 30 years.

Co-counsel:

Former Assistant United States Attorney Kelly Currie  
Crowell & Moring  
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New York, New York 10022  
(212) 895-4257

Assistant United States Attorney Marshall Miller  
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Defense counsel:

For Tyler:  
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For McMillan:  
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(718) 279-3770

Avraham C. Moskowitz, Esq.  
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For Hunter:  
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Richard Jasper, Esq.  
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New York, New York 10001  
(212) 689-6858

For Watson:  
Kenneth Paul, Esq.  
111 Broadway, Suite 701  
New York, New York 10006  
(212) 587-8000

Carl Herman, Esq.  
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Livingston, New Jersey 07039  
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For Lugo:  
Jerry Tritz, Esq.  
40 Foley Square  
New York, New York 10007  
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Andrew G. Patel, Esq.  
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New York, New York 10006  
(212) 349-0230

For Foster:  
Mitchel Golub, Esq.  
225 Broadway, Suite 1515  
New York, New York 10007  
(212) 693-1000

4. *United States v. Lefkowitz*, 01-CR-886 (RR); Eastern District of New York; The Honorable Rena Raggi; 2000 – 2003.

The defendant aided and abetted a murder and was involved in the distribution of cocaine with a number of individuals, including those charged in *United States v. Tyler et al.* (discussed above) and *United States v. Stokes* (discussed below). The defendant pleaded guilty and cooperated against the trial defendants in *United States v. Tyler*.

Defense counsel:

Michael S. Washor, Esq.  
233 Broadway, Suite 1800  
New York, New York 10279  
(212) 697-5900

5. *United States v. Stokes*, 01-CR-1095 (JBW); Eastern District of New York; The Honorable Jack B. Weinstein; 2001 – 2003.

The defendant aided and abetted a murder and was involved in the distribution of cocaine and crack cocaine with a number of individuals, including those charged in *United States v. Tyler* and *United States v. Lefkowitz* (discussed above). The defendant pleaded guilty and cooperated against the trial defendants in *United States v. Tyler*.

Defense counsel:

Thomas White, Esq.  
Legal Aid Office  
49 Thomas Street  
New York, New York 10013  
(212) 298-5110

6. *United States v. Lugo*, 01-CR-922 (NG); Eastern District of New York; The Honorable Nina Gershon; 2001 – 2007.

The defendant was convicted after a jury trial of murder in aid of racketeering, conspiracy to commit murder in aid of racketeering and the unlawful use of firearms in relation to the murder and murder conspiracy. This defendant was indicted with the defendants in *United States v. Tyler* (discussed above), but was a fugitive at the time of the trial in *Tyler*. Pre-trial litigation included a motion to suppress the out-of-court identification of the defendant by two of the government's witnesses, which resulted in a hearing before Magistrate Judge Cheryl Pollak at which I presented the government's evidence. In addition, during trial, outside the presence of the jury, the court conducted a hearing pursuant to *Massiah v. United States*, 377 U.S. 201 (1964), at which I presented the government's evidence. At trial, I conducted the direct examination of several of the government's witnesses and delivered two of the jury addresses. The trial lasted approximately two weeks. Post trial litigation included responding to the defendant's motions for a judgment of acquittal and a new trial.



Co-counsel:

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Defense counsel:

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7. *United States v. Chin*, 01-CR-1407 (FB), *aff'd*, 476 F.3d 144 (2d Cir. 2007); Eastern District of New York, The Honorable Frederic Block and the Second Circuit Court of Appeals; 2002 – 2007.

The defendant, a former immigration inspector, was charged with impersonating an officer of the Immigration and Naturalization Service and with tax evasion. The defendant orchestrated two elaborate schemes to defraud several Chinese victims of over a million dollars. The defendant was convicted at a second trial before the Honorable Frederic Block after the Second Circuit reversed the earlier conviction before the Honorable Nina Gershon. I conducted several direct and cross examinations of witnesses, including the cross of two expert witnesses, and delivered two jury addresses. Both trials lasted approximately two to three weeks. I was the lead counsel during both trials.

Co-counsel:

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Assistant United States Attorney Abigail Evans  
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(213) 894-0703

Defense counsel:

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8. *United States v. Donovan*, 05-CR-442 (JG); *United States v. Stewart*, 05-CR-442 (JG); *United States v. Wildrick*, 05-CR-442 (JG); *United States v. Torres*, 05-CR-442 (JG); *United States v. Bongiorno*, 05-CR-442 (JG); *United States v. Ferramosca*, 05-CR-442 (JG); *United States v. Taranow*, 05-CR-438 (JG); *United States v. Robles*, 05-CR-681 (JG); *United States v. Bovich*, 05-CR-682 (JG); *United States v. Luca*, 05-CR-683 (JG); *United States v. Zerella*, 05-CR-684 (JG); *United States v. Spinello*, 05-CR-685 (JG); *United States v. Nuziale*, 05-CR-686 (JG); *United States v. Dellaporte*, 05-CR-794 (JG). All prosecuted in the Eastern District of New York; The Honorable John Gleeson; 2003 – 2008 (except 2005 – 2006 while I worked in Nigeria).

The defendants were 12 New York City school custodian engineers and two vendors who were arrested for embezzling, stealing and misapplying funds from the New York City Department of Education. The defendants pleaded guilty to the charges. Sentencing issues were litigated as to some of the defendants. I investigated and obtained arrest warrants for the defendants based on two detailed complaints. During the time I worked in Nigeria as an advisor, the cases were reassigned to Assistant United States Attorneys Debra Newman and Steven Breslow. They negotiated the plea agreements with the defendants. Upon my return to the United States in 2006, I was reassigned to the case for the defendants' sentencing.

Co-Counsel:

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Assistant United States Attorney Steven Breslow  
Now with the District of Massachusetts  
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**Defense Counsel:**

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**For Wildrick:**

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For Robles:

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For Bovich:

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Bellmore, New York 11710  
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For Luca:

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For Zerella:

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For Spinello:

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For Nuziale:

John Patten, Esq.  
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(212) 962-1295

For Dellaporte:  
Joseph Tacopina, Esq.  
275 Madison Avenue, 35th Floor  
New York, New York 10016  
(212) 227-8877

9. *United States v. Giraldo*, 01-CR-038 (CPS); Eastern District of New York; The Honorable Charles P. Sifton; 2000 – 2003.

A Title III wiretap investigation in Philadelphia and New York and a related investigation in Colombia, South America, revealed that the defendants were importing large quantities of heroin from Colombia and distributing it in New York and Philadelphia. I prosecuted the New York defendants. The defendants were charged with conspiracy to distribute heroin. Some of the defendants were also charged with money laundering. The defendants all pleaded guilty.

Defense counsel:

For L. Giraldo:  
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For J. Giraldo:  
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(347) 489-8659

For M. Marin:  
Thomas Dunn, Esq.  
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For H. Giraldo:  
James Roth, Esq.  
Hurwitz Stampur & Roth  
299 Broadway, Suite 800  
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(212) 619-4240

For L. Marin:  
Lynne F. Stewart, Esq.  
(no longer practicing)

For Quiceno:  
David Stern, Esq.  
Rothman, Schneider, Soloway & Stern  
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For Carlos E. Murillo:  
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For Bermudez:  
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Nalven & Schacht  
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For Feliciano:  
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For Martinez:  
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For Cuartas:  
Kenneth J. Schreiber, Esq.  
Sparrow, Singer & Schreiber  
125-10 Queens Boulevard, Suite 5  
Kew Gardens, New York 11415  
(718) 261-4040

10. *United States v. Gregorio*, 04-CR-421 (RJD); *United States v. Liquori*, 04-CR-377 (RJD); *United States v. Taylor*, 04-CR-279 (RJD); *United States v. Culotta*, 04-CR-431 (RJD); *United States v. Culotta*, 04-CR-277, (RJD); *United States v. Liquori*, 04-CR-376 (RJD); *United States v. Dehart*, 03-CR-1306 (RJD); *United States v. Borrazzo*, 04-CR-299 (RJD); *United States v. Aranyos*, 04-CR-402 (RJD); *United States v. Greco*, 04-CR-298 (RJD); *United States v. Culotta*, 04-

CR-278 (RJD); *United States v. Krzyzak*, 04-CR-178 (RJD); *United States v. Ferdinando*, 04-CR-289 (RJD). The cases were all prosecuted in the Eastern District of New York; The Honorable Raymond Dearie; 2002 – 2005.

The defendants were 13 plumbing contractors who were arrested on bribery charges after warrants were obtained based on evidence set forth in a 64-page complaint. The defendants paid a Department of Buildings inspector to approve plumbing work performed at various locations in New York City, without inspection, and to expedite approvals. I investigated and prosecuted this case, resulting in the guilty pleas to bribery charges of 11 of the defendants. During the time I was working in Nigeria in 2005 to 2006, the cases against the remaining two defendants were assigned to former Assistant United States Attorney Michael Ramos, who oversaw the defendants' guilty pleas to tax charges.

Defense counsel:

For Gregorio:

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(212) 587-7840

For Liquori, Sr.:

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(718) 981-7500

For Taylor:

Gerald McMahon, Esq.  
26 Broadway, 18th Floor  
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(212) 797-1877

For P. Culotta:

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(718) 875-1212

For J. Culotta:

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1225 Franklin Avenue, Suite 325  
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(516) 512-8914

For Liquori, Jr.:  
Jon E. Lemole, Esq.  
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Osprey, Florida 34229  
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For DeHart:  
John Murphy, Esq.  
60 Bay Street, 7th Floor  
Staten Island, New York 10301  
(718) 442-4052

For Borrazzo:  
Patrick V. Parrotta, Esq.  
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(718) 556-9800

For Aranyos:  
Joseph R. Benfante, Esq.  
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New York, New York 10007  
(212) 227-4700

For Greco:  
Joseph V. DiBlasi, Esq.  
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New York, New York 10022  
(718) 520-8888

For S. Culotta:  
Thomas A. Tormey, Jr., Esq.  
140 Broadway, 46th Floor  
New York, New York 10005  
(212) 480-3910

For Krzyzak:  
Martin B. Adelman, Esq.  
225 Broadway, Suite 1804  
New York, New York 10007  
(212) 732-4343



For Ferdinando:  
Harvey Greenberg, Esq.  
232 Madison Avenue, Suite 909  
New York, New York 10016  
(212) 953-2300

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

One of the most significant legal activities I engaged in was my work in Nigeria on behalf of the United States Department of Justice (“DOJ”). I was selected to work as an intermittent legal advisor in Nigeria for six months, but my position was extended to ten months. I performed many duties on behalf of DOJ including the training of over 100 prosecutors and investigators in various areas of the law, with the assistance of other prosecutors and federal agents. Some of the areas in which I provided training included public corruption, trial advocacy, evidence and plea bargaining. I also advised the prosecutors on all aspects of prosecution, including trial strategy.

I worked with government officials in Lesotho on their proposed human trafficking bill and provided training to various government officials in Lesotho and Swaziland on how to investigate and prosecute human trafficking crimes. While these matters did not involve litigation, I found them to be significant in view of the worldwide human trafficking problem.

Further, in my former role as Chief of the General Crimes unit, I was responsible for training all of the new Assistant United States Attorneys in the office. Being entrusted with the training and development of new AUSAs was, to my mind, one of the most important responsibilities in the Office because it formed the foundation upon which the Office’s work was (and continues to be) built for years and generations of prosecutors to come. To develop the skills of the Office’s new prosecutors, while also instilling in them the sense of integrity, justice and fair play essential to their roles as representatives of the United States, is critical to the mission of the Office and the U.S. Department of Justice.

19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

Fundamentals of Law Practice I and II  
Brooklyn Law School  
August 2010 to the present

Research, writing, and negotiations skills.  
Syllabus supplied.

Legal Research and Writing  
Brooklyn Law School  
August 2009 to April 2010  
Research and writing skills.  
Syllabus supplied.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I am not aware of any such income or benefits.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

I am currently teaching at Brooklyn Law School and would hope to continue doing so. I have no additional plan, commitment or agreement with respect to outside employment during any service with the court.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See attached Financial Disclosure Report.

23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

All criminal matters that are currently pending in the United States Attorney's Office for the Eastern District of New York would present a conflict of interest. I would require that Assistant United States Attorneys submit a letter indicating whether any criminal matter assigned to me was pending in the office during the time I supervised the Criminal Division. If the matter was pending during my tenure, I would recuse myself from that matter. I would follow the guidance of the recusal statutes and the Code of Conduct for United States Judges and recuse myself where appropriate to avoid even an appearance of conflict.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

I would follow the guidance of the recusal statutes and the Code of Conduct for United States Judges and recuse myself where appropriate to avoid even an appearance of conflict.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

While employed in the private sector at Carter, Ledyard & Milburn, I participated in several *pro bono* projects to assist individuals who would not otherwise have access to representation. In one case, I represented a Somali national who was denied political asylum and was scheduled to be deported. I conducted a trial before the immigration judge and was able to demonstrate that if the applicant was returned to Somalia, he would have been persecuted. The applicant was granted political asylum and subsequently obtained a permanent alien card. I spent a substantial amount of hours debriefing the client, conducting research, and preparing for trial.

In another *pro bono* case, *Rodriguez v. Clinton Housing and Development Company, Inc.*, 241 A.D.2d 339, 660 N.Y.S. 2d 16 (1st Dept. 1997), I represented a non-profit corporate landlord, its officers, directors and managing agent in a contract dispute with an attorney who leased space in the building. The non-profit landlord provided affordable housing for the needy. This matter was heavily litigated in state court, including depositions, and was appealed to the appellate division. I devoted a substantial amount of time to this matter.

In 1994 and 1995, I worked on a *pro bono* civil case with several other attorneys. The suit was brought in the Southern District of New York against Jean-Bosco Barayagwiza on behalf of five Rwandans whose families were massacred in Rwanda. I wrote a section of the complaint that was filed against Barayagwiza. In 1996, we obtained a default judgment for \$105 million on behalf of the plaintiffs. Several years later, in 2003, Barayagwiza was convicted of genocide and crimes against humanity by the international criminal tribunal in Tanzania, and was sentenced to 27 years in prison for his role in

inciting Hutus to slaughter Tutsis in Rwanda. (I had no involvement with the criminal prosecution.)

As an Assistant United States Attorney I once sought permission to perform pro bono work but my request was denied.

**26. Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

I submitted a completed questionnaire to New York Senator Charles E. Schumer's judicial selection committee, which recommends candidates for nominations to the federal courts, to the Senator in March 2009. I was interviewed by that committee on May 14, 2009. I was interviewed by Senator Schumer on October 1, 2010.

Since March 2011, I have been in contact with pre-nomination officials at the United States Department of Justice. On April 19, 2011, I interviewed with officials from the White House Counsel's Office and the Department of Justice in Washington, DC. On June 7, 2011, the President submitted my nomination to the Senate.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.

AFFIDAVIT

I, MARGO KITSY BRODIE, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

June 6, 2011  
(DATE)

Margo Ketsy Brodie  
(NAME)

Linda Thornton  
(NOTARY)

LINDA THORNTON  
Notary Public, State of New York  
No. 01TH6074799  
Qualified in Kings County 2014  
Commission Expires May 20, 2014